
Arizona Revised Statutes

§28-101, 28-900-902, 28-3228

School Bus Laws

28-101. Definitions

43. "School bus" means a motor vehicle that is designed for carrying more than ten passengers and that is either:

(a) Owned by any public or governmental agency or other institution and operated for the transportation of children to or from home or school on a regularly scheduled basis.

(b) Privately owned and operated for compensation for the transportation of children to or from home or school on a regularly scheduled basis.

28-900 . School bus rules

A. The department of administration in consultation with the department of public safety and with the school bus advisory council established by section 28-3053 shall adopt rules as necessary to improve the safety and welfare of school bus passengers by minimizing the probability of accidents involving school buses and school bus passengers and by minimizing the risk of serious bodily injury to school bus passengers in the event of an accident.

B. The rules may include:

1. Minimum standards for the design and equipment of school buses.

2. Minimum standards for the periodic inspection and maintenance of school buses.

3. Procedures for the operation of school buses.

4. Other criteria as deemed by the department of administration, the department of public safety and the school bus advisory council to be necessary and appropriate to ensure the safe operation of school buses.

C. The rules shall provide, if applicable, minimum standards equal to or more restrictive than those adopted by the United States department of transportation in accordance with 23 United States Code and rules adopted pursuant to 23 United States Code.

D. Notwithstanding a rule adopted by the department of administration with respect to exterior color of a school bus, in order to reduce the interior temperature of a school bus, the exterior top of a school bus may be painted white, but the white area shall not extend beyond the center clearance lights, front and rear, and shall not extend below a line five inches above the top of the side windows.

E. An officer or employee of any school district who violates any of the rules or who fails to include the obligation to comply with the rules in any contract executed by the officer or employee on behalf of a school district is guilty of misconduct and is subject to removal from office or employment. Any person who operates a school bus under contract with a school district and who fails to comply with any of the rules is in breach of contract, and the school district shall cancel the contract after notice and a hearing by the responsible officers of the school district.

F. The department of public safety shall enforce the rules adopted pursuant to this section.

28-901 . Maximum number in school bus; stops at school

A. Except for the purpose of conducting drills under school rules and in the emergency evacuation or dispersal of pupils and school personnel, a person shall not operate a school bus on a public highway:

1. While carrying more passengers than can be properly seated.

2. While a person is standing in the school bus.

B. In receiving or discharging children at the school, a person who drives a vehicle carrying children to and from school shall stop the vehicle on the side of the highway on which the school is located.

28-902 . Repainting government vehicle

If a motor vehicle that is painted yellow and that is owned or operated by this state, a county, city, town or political subdivision of this state, a school district or a school is sold or transferred to a private owner, the private owner shall repaint the motor vehicle a different color and obliterate all official painted insignia before the motor vehicle is driven on a public highway.

28-3228 . School bus drivers; requirements; rules; cancellation

A. A person shall not operate a school bus transporting school children unless the person possesses the appropriate license class for the size of school bus being operated that is issued by the department of transportation, a bus endorsement that is issued by the department of transportation and a school bus certificate that is issued by the department of public safety.

B. To be certified as a school bus driver a person shall do both of the following:

1. Meet and maintain the minimum standards prescribed by this section and rules adopted by the department of administration in consultation with the department of public safety and with the school bus advisory council established by section 28-3053.

2. Complete an initial instructional course on school bus driver safety and training including behind the wheel training.

C. The department of administration in consultation with the department of public safety and with the school bus advisory council established by section 28-3053 shall adopt rules that establish minimum standards for the certification of school bus drivers. In cooperation with local school districts, the department of public safety shall provide for school bus driver safety and training courses. The standards established shall:

1. Include requirements concerning moral character, knowledge of school bus operation, pupil and motor vehicle safety, physical impairments that might affect the applicant's ability to safely operate a school bus or that might endanger the health or safety of school bus passengers, knowledge of first aid, establishment of school bus safety and training courses, a refresher course to be completed on at least a biennial basis and other matters as the department of administration in consultation with the department of public safety and the school bus advisory council established by section 28-3053 prescribes for the protection of the public.

2. Require tests to detect the presence of alcohol or the use of a drug in violation of title 13, chapter 34 that may adversely affect the ability of the applicant to safely operate a school bus.

3. Authorize the performance of hearing tests with or without the use of a hearing aid as provided in 49 Code of Federal Regulations section 391.41.

D. The department of public safety shall require applicants to furnish fingerprints and shall obtain criminal history record information pursuant to section 41-1750. For the purposes of this subsection, the applicant shall pay a fee to the department of public safety to reimburse the department of public safety for the cost of obtaining the applicant's criminal history record information required by this subsection. The fee shall not exceed the actual cost of obtaining the applicant's criminal history record information.

E. The department of public safety shall issue a school bus driver certificate to an applicant who meets the requirements of this section. The certificate is valid if the applicant maintains the minimum standards established by this section.

F. The department of public safety may cancel the certificate if the person's license to drive is suspended, canceled, revoked or disqualified. The department of public safety shall cancel the certificate if the person fails to maintain the minimum standards established pursuant to this section. A person whose application for a certificate is refused or whose certificate is canceled for failure to meet or maintain the minimum standards may request and receive a hearing from the department of public safety.

G. The department of public safety shall enforce the rules adopted pursuant to this section.